

SUPPLEMENTAL REISSUE DECLARATION

We, as the below-named inventors, hereby declare that our residences, post office addresses, and citizenships are as stated below adjacent our names, that we verily believe we are the original, first and joint inventors of the invention described and claimed in Letters Patent No. 5,235,581, issued August 10, 1993, and in the specification filed August 5, 1991, and for which invention we solicit a reissue patent; that we have reviewed and understand the contents of the specification attached hereto, including the claims; that we acknowledge our duty to disclose information of which we are aware which is material to the examination of this Reissue Application No. 09/460,223 in accordance with Title 37, Code of Federal Regulations, §1.56(a); and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States prior to filing of Application Serial No. 740,629 filed August 5, 1991 (from which Patent 5,235,581 issued) by us or our legal representatives or assigns, except as follows:

Japanese Patent Application Nos. 02-212537
filed August 9, 1990, 02-285006 filed
October 22, 1990, and 03-044798 filed
March 11, 1991.

The priority of Japanese application nos. 02-212537, 02-285006 and 03-044798 was claimed in said U.S. application and is also hereby claimed in this Reissue Application and certified copies are available in the patent file.

We further declare that we believe said Letters Patent is, through errors which arose without deceptive intent on the part of the applicants, wholly or partially inoperative by reason of claiming more or less than we had a right to claim in the patent. We hereby provide a statement of at least one error relied upon to support this reissue application, in that (1) original independent claims 1, 7, 10, 16 and 19 recite, *inter alia*, a light for emitting means for converging the light flux onto the optical disk, and original independent patent claim 13 recites N light emitting means each for emitting a waveguide light into the optical waveguide, whereas (2) new independent claims 26, 28 and 34 cover subject matter not recited in the original claims and thus depart from the subject matter of the original claims at least in that new independent claims 26, 28,

31, 33 and 35 recite, *inter alia*, at least two light emitting means arranged on a common substrate. Thus, the above-identified changes and departures from the original claims represent an "error" in the original patent under 35 USC 251.

We hereby appoint the following as our attorneys of record with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office.

James E. Ledbetter, Registration No. 28,732;
Thomas P. Pavelko, Registration No. 31,689; and
Anthony P. Venturino, Registration No. 31,674.

All correspondence in connection with this application should be sent to:

James E. Ledbetter, Esq.
STEVENS DAVIS, MILLER & MOSHER, L.L.P.
1615 L Street, N.W., Suite 850
Washington, D.C. 20036
Telephone: (202) 408-5100
Facsimile: (202) 408-5200

We, as the undersigned inventors, further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made

are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the reissue application or of any reissue patent to issue thereon.

Naoyasu MIYAGAWA

Naoyasu Miyagawa
(Signature)

Feb. 15. 2001
(Date)

Residence: Suita-shi, Japan

Citizenship: Japanese

Post Office Address: 17-21-202, Fujigaokacho, Suita-shi, Japan

Yasuhiro GOTOH

Yasuhiro Gotoh
(Signature)

Feb. 15. 2001
(Date)

Residence: Kadoma-shi, Japan

Citizenship: Japanese

Post Office Address: 5-1-710, Yanagimachi, Kadoma-shi, Japan

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors: Naoyasu MIYAGAWA, et al. Art Unit: 2753

Serial No.: 09/460,223 Examiner: N. Hindi

Filed: December 13, 1999

For: OPTICAL RECORDING/REPRODUCING APPARATUS FOR OPTICAL
DISKS WITH VARIOUS DISK SUBSTRATE THICKNESSES

DECLARATION AS TO INACCESSIBILITY OF LETTERS PATENT

Assistant Commissioner for Patents
Washington, DC 20231

Dear Sir:


The undersigned, a duly authorized representative of Matsushita Electric Industrial Co., Ltd., the Assignee of the entire right, title and interest in U.S. Patent No. 5,235,581 and the Applicant for a reissue patent based on the above-identified original patent, hereby declares that said original patent is inaccessible as it was surrendered in connection with parent reissue application number 08/396,981 (now RE 36445 issued December 14, 1999).

Matsushita Electric Industrial Co., Ltd.
January 19, 2001
Page 2

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the reissue application or of any reissue patent to issue thereon.

For and on behalf of

MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.


(Signature)

Osamu Yamazaki
Director, Intellectual Property Center
Authorized Signing Officer

(Name)

FEB 20 2001

(Date)

(Title)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors: Naoyasu MIYAGAWA, et al. Art Unit: 2753

Serial No.: 09/460,223 Examiner: N. Hindi

Filed: December 13, 1999

For: OPTICAL RECORDING/REPRODUCING APPARATUS FOR OPTICAL
DISKS WITH VARIOUS DISK SUBSTRATE THICKNESSES

STATEMENT UNDER 37 CFR 3.73(b)

Assistant Commissioner for Patents
Washington, DC 20231

Dear Sir:

Pursuant to MPEP §1.410.01, the undersigned, a duly authorized representative of Matsushita Electric Industrial Co., Ltd., the Assignee of the entire right, title and interest in U.S. Patent No. 5,235,581, hereby establishes the Assignee's ownership interest in this patent by specifying that the evidence of such ownership interest is recorded at Reel 5796, Frame 0668 of the U.S. Patent and Trademark Office microfilm files. A copy of the recorded Assignment is attached.

For and on behalf of

MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.


(Signature)

Osamu Yamazaki
Director, Intellectual Property Center
Authorized Signing Officer

(Name)

FEB 20 2001

(Date)

(Title)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors: Naoyasu MIYAGAWA, et al. Art Unit: 2753

Serial No.: 09/460,223 Examiner: N. Hindi

Filed: December 13, 1999

For: OPTICAL RECORDING/REPRODUCING APPARATUS FOR OPTICAL
DISKS WITH VARIOUS DISK SUBSTRATE THICKNESSES

ASSENT OF ASSIGNEE TO REISSUE


Assistant Commissioner for Patents
Washington, DC 20231

Dear Sir:

The undersigned, a duly authorized representative of
Matsushita Electric Industrial Co., Ltd., the Assignee of the
entire interest in U.S. Patent No. 5,235,581, hereby assents to the
above-captioned Reissue Application of said patent.

For and on behalf of

MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.


(Signature)

Osamu Yamazaki
Director, Intellectual Property Center
Authorized Signing Officer

(Name)

FEB 20 2001

(Date)

(Title)